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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 Case No.: 2:17-cv-02196-APG-VCF

11 SYLVIA LEYS,  
Plaintiff,

12 v.

13 WAL-MART STORES, INC., dba WALMART  
14 STORE #4356 a foreign  
15 corporation; DOE EMPLOYEE; DOES I  
16 through XXX, inclusive and ROE  
17 BUSINESS ENTITIES I through XXX,  
inclusive,  
Defendants.

**STIPULATION AND ORDER FOR  
LEAVE TO COMPLETE THE  
DEPOSITION OF JASWINDER  
GROVER, MD OUTSIDE THE  
DISCOVERY PERIOD**

18  
19 Plaintiff SYLVIA LEYS (hereinafter “Plaintiff”) and Defendant WAL-MART STORES, INC.  
20 (hereinafter “Defendant”), by and through their respective counsel of record, do hereby stipulate to  
21 conduct certain discovery outside the discovery period. Specifically, the parties stipulate that **The**  
22 **deposition of Jaswinder Grover M.D., which commenced on May 25, 2018, shall be completed**  
23 **on January 11, 2019, or the first available date thereafter.**

24 **DISCOVERY COMPLETED TO DATE**

- 25
- The parties have conducted an FRCP 26(f) conference.
  - The parties have served and exchanged their respective FRCP 26(a) initial disclosures and supplements thereto.
  - Plaintiff has served written discovery requests to Defendant, and Defendant timely
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1 served its responses and objections to the same.

- 2 • Defendant has served written discovery requests to Plaintiff, and Plaintiff timely served
- 3 her responses and objections to the same.
- 4 • Each party has made their respective expert disclosures.
- 5 • Plaintiff has taken depositions of fact witnesses, including Walmart employees Marlen
- 6 Hughes, Drake Jenkins, and Dennis Dellere.
- 7 • Defendant has taken the deposition of Plaintiff's expert John Peterson.
- 8 • Defendant has taken deposition of Plaintiff's treating provider Dr. Moratillo.
- 9 • Defendant has deposed Plaintiff's treating provider Dr. Grover for approximately 1.5
- 10 hours
- 11 • Defendant has obtained executed authorizations from Plaintiff and has subpoenaed and
- 12 records from Plaintiff's providers and continues to subpoena updated records on an
- 13 ongoing basis.
- 14 • Defendant has noticed the deposition of Plaintiff, which will be completed on
- 15 November 13, 2018 pursuant to a stipulation of the parties (ECF No. 44).

16 **DISCOVERY TO BE COMPLETED OUTSIDE THE DISCOVERY PERIOD**

17 Discovery to be completed includes:

- 18 • Completion of the deposition of Plaintiff's treating provider, Dr. Grover.

19 The parties aver that good cause exists for the request pursuant to Local Rule 6-1. Dr. Grover's  
20 deposition was noticed by Walmart's former counsel, Law Offices of Charles Abbott, PC, and  
21 commenced on May 25, 2018. Given the breadth of testimony to be obtained, former counsel noted on  
22 the record upon expiration of the allotted time, that the deposition remained open and would be  
23 completed at a later date. Discovery in this matter currently closes on November 12, 2018, however,  
24 Dr. Grover's first available date for completion of his deposition is January 11, 2019. As such, the  
25 parties have cordially agreed to that Dr. Grover's Deposition may be completed outside the discovery  
26 period on January 11, 2019, or the first available date thereafter should Dr. Grover's availability  
27 change prior to this date.

28 //

1 The parties aver that this request is made by the parties in good faith and not for the purpose of  
2 delay.

3 DATED this 12th day of November, 2018.

DATED this 12<sup>th</sup> day of November, 2018.

4 /s/ Carl R. Houston

/s/ Alyce W. Foshee

5 CARL R. HOUSTON, ESQ.

6 Nevada Bar No. 11161

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9 *Attorneys for Plaintiff*

10 *Sylvia Leys*

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*Attorneys for Defendant*

*Wal-Mart Store, Inc.*

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12  
13 **IT IS SO ORDERED:**



14  
15 **UNITED STATES MAGISTRATE JUDGE**

16 **DATED:** 11-13-2018

**CERTIFICATE OF SERVICE**

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 12<sup>th</sup> day of November, 2018, I electronically served a copy of **STIPULATION AND [PROPOSED] ORDER FOR LEAVE TO COMPLETE THE DEPOSITION OF JASWINDER GROVER, MD OUTSIDE THE DISCOVERY PERIOD** as follows:

☐ By facsimile addressed to the following counsel of record, at the address listed below;

☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;

☐ By Hand Delivery (ROC); and/or

☒ By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
RAMZY P. LADAH ESQ. Nevada Bar No. 11405 CARL R. HOUSTON Nevada Bar No. 11161 <b>LADAH LAW FIRM</b> 517 S. Third Street Las Vegas, NV 89101 <a href="mailto:ramzy@ladahlaw.com">ramzy@ladahlaw.com</a>	Phone 702-252-0055 Fax 702-248-0055	Plaintiff

*/s/ Alyce W. Foshee*

\_\_\_\_\_  
An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC